

Notice of Allowability

Application No.
09/414,547

Applicant(s)
Tomita et al

Examiner
Geoffrey Akers

Group Art Unit
2164



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to 1/3/01

☒ The allowed claim(s) is/are 1-9, 11-16, 19-23, 27, 31, 36, and 38-77

☐ The drawings filed on _____ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☒ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

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DETAILED ACTION

Response to Amendment

1. Claim 1 was amended by applicant's amendment(Paper #5). New claims 64-77 were added. Claims 1-9,11-16,19-23,27,31,36 and 38-77 were examined.
2. This action is responsive to applicant's amendment filed 1/3/01.
3. The amendment was sufficient to overcome the rejections as stated in the Non-Final Action(Paper #3) filed on 9/19/00.

Claim Rejections - 35 USC §.103

4. Applicant's argument of a pre-dated filing before the rejecting reference and amendment in Paper #5 overcame examiner's rejection of claims 1-64. Presented in the non-final action(Paper #3). Therefore, examiner withdraws the rejections.

Allowable Subject Matter

5. The rejections stated in the Non-Final Office Action(Paper#3) have been overcome by Applicant's amendment. The following is a statment of reasons for allowance:

The instant invention relates to a novel system for service point managment which employs a computer for managing the points(credits) issued to each customer who receives service based upon his point-standing. An issue unit issues these points to the customer according to the transactions performed by the customer. An accumulation unit calculates and totals the-issued points. A notification unit advises the customer of point information. An identification unit

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identifies the customer according to data entered through a store terminal. The point notification unit advises the identified customer of the his cumulative point information before the customer carries out subsequent transactions. The key elements which are specified in the independent claims 1,51,53-60 that differentiate the invention over prior art are:

(A) applicant's concept utilizes an apparatus to perform point issue means utilizing rate managment methods for changing a point calculation rate determined by predetermined transactions conditions. The apparatus utilizes means for accumulating points, rate managment means, as well as a notification apparatus for advising a customer of point information as primary data through a customer terminal as soon as the customer terminal is turned on.

(B) applicant's concept provides a system that is capable of issuing and accumulating points with a seller's computer even if customers have no recording media or member cards as well as notifying customers of points whenever they are requested. Additionally, the system provides service information according to a custoimer's cumulative points to promote sales. Finally, the system provides a capability to handle individuals and groups as well as mail order sales.

The present invention provides a means for point-based marketing and sales generation to loyal clientele. The present invention in addition to issuing service points but promulgates sales promotion without inconveniencing shoppers. The cited prior asrt does not disclose limitations in the context of the claims as stated in the independent claims 1,51,53-60 as amended.

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Prior art does not disclose this invention as described. This art of record includes:

- Schultz discloses an automated purchase reward accounting system
- McCarthy discloses a centralized customer cash value accumulation system
- Cohen discloses a purchasing system with rebate features
- Ikeda(pre-dated) discloses a point service system in online shopping malls

Comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any comments regarding this communication should be directed to the examiner, Dr. Geoffrey Akers, P.E. who can be reached at (703)-306-5844 between the hours of 6:30 AM and 5:00 PM Monday through Friday. If attempts to contact the examiner are unsuccessful, the examiner's supervisor, Mr. Vincent Millin, may be telephoned at (703)-308-1065.

GRA

March 5, 2001


**VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
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